

REMARKS

In response to the restriction requirement mailed January 27, 2003, applicants elect Group I with traverse in so far as the requirement is applied to the amended claims.

The Examiner says that Groups I-IX do not relate to a single general inventive concept under PCT Rule 13.1 because Groups II-IX do not contain 70% of monoterpenes nor carry the specific carriers recited in claim 1.

It is respectfully submitted that PCT Rule 13.1 does not lead to a lack of unity in the present amended claims. The rule states that the unity of invention is fulfilled when "there is a special technical relationship among those inventions involving one or more of the same or corresponding technical features." Accordingly, unity is satisfied between two groups of claims if the groups share a single special technical feature. The rule does not require that two groups of claims share every technical feature and a suitable carrier selected from a specified group.

Here, claim 1 of Group I recites the special technical feature "comprising an active agent containing at least 70% by weight monoterpenes with three unsaturations as active agent therein...." Claim 16 of Group II, Claim 23 from Group III, claim 24 from Group IV, claim 25 from Group V, claim 26 from Group VI, claim 27 from Group VII, claim 28 from Group VIII and claim 29 from Group IX have each been amended to incorporate the composition of claim 1, thus sharing a common technical feature with claim 1. Therefore, all of the present claims incorporate the special technical feature of an active agent containing at least 70% by weight monoterpenes with three unsaturations as active agent therein in combination with a suitable carrier. Because all of the claims, as amended, have a common special technical feature, there is unity of invention.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

PATENT

Joseph Simcha Wolnerman
Application No.: 10/069,416
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TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
JOL:adm
PA 3286087 v1